

REMARKS

This Response is in reply to the Office Action mailed March 21, 2008. Claims 1-4, 6-10, 12-18, and 20-30 were pending in the application. Claims 13-18, 20, and 30 were allowed. Claims 1-4, 6-10, 12, and 21-29 were rejected.

Claims 1-4 and 6-9 were rejected under 35 USC 112, second paragraph. Claim 1 has been amended to now include that the diverter is adapted to move by the gear train to a first position, and the diverter is controlled by the gear train to move to a second position.

Claim 6 has been amended to now depend from independent claim 1.

Claims 10, 12, and 21-29 were rejected under 35 USC 102(b) as being anticipated by Japanese Publication No. 2000-26002 (hereinafter the 26002 reference). Attached with this Response is a machine translation of the 26002 reference that was obtained from the Japanese Patent Office website. To the best of the undersigning attorney's knowledge, this is an accurate translation. The 26002 reference is directed to an image forming device with a media path that includes a discharge inverting means 13 with a drive roller 13-1, a switchback roller 13-2, and a discharge roller 13-3. A branching device 14 is positioned upstream from the discharge inverting means to direct the media sheets accordingly.

Claim 10 has been amended to now include, *inter alia*, that an actuator arm is positioned at lateral ends of the drive roll and the diverter and includes a first end operatively connected to the drive roll and a second end operatively connected to the diverter. The diverter is configured to be moved by the actuator arm to a first orientation when the drive roll rotates in a first rotational direction, and to a second orientation when the drive roll rotates in the second rotational direction. The 26002 reference does not disclose an actuator arm that is connected to the drive roll and the diverter. Rather, the branching device of the 26002 reference is independently positioned away from the discharge inverting means and is separately controlled

by a solenoid. For at least this reason, independent claim 10 and dependent claim 12 are not anticipated.

Claim 21 has been amended to now include, *inter alia*, moving an actuator arm operatively connected to the drive roll to a first position and positioning a diverter in a first orientation, and moving the actuator arm to a second position and positioning the diverter in a second orientation. The 26002 reference does not disclose an actuator arm that is operatively connected to the drive roll with the position of the actuator arm controlling the positioning of the diverter. The branching device of the 26002 reference is controlled by an independent solenoid. For at least this reason, independent claim 21 and dependent claims 22-26 are not anticipated.

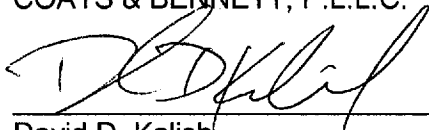
Claim 27 has been amended to now include, *inter alia*, the step of moving an actuator arm operatively connected to the drive roll to a first position and positioning the diverter in a first orientation, and moving the actuator arm to a second position and positioning the diverter in a second orientation. As stated above, the 26002 reference does not disclose an actuator arm operatively connected to the drive roll. For at least this reason, independent claim 27 and dependent claim 28 are not anticipated.

Claim 29 has been amended to now include, *inter alia*, determining a bendability of a first media sheet. The 26002 reference does not disclose a structure or functionality for determining the bendability of a media sheet. For at least this reason, independent claim 29 is not made obvious.

In view of the above amendments and remarks, the Applicants submit the present application is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'D. Kalish', written over a horizontal line.

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